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### REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the thorough review of the present application. Based upon the amendments and the following remarks, Applicants respectfully request reconsideration of the present application and allowance of the pending claims.

#### The Present Invention

The present invention provides for a gateway device and associated method that facilitate communications with external devices by utilizing a uniform communications format (i.e., XML). As such, the gateway device is not required to communicate with each external device according to a unique format defined by the respective external device. The gateway device is located at an access point, such that subscriber computers desiring to access any network are required to gain access through the gateway device. Thus, the subscriber computers can transparently communicate with all the external devices without having to support the uniform communications format (i.e., XML). Accordingly, the gateway device and associated method of the present invention improve communications between the subscriber computer, gateway device and various external devices, such as billing and content servers, property management systems, external AAA servers and the like.

#### 35 U.S.C. § 103 (a) Rejections

Claims 1-18 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over United States Patent No. 6,453,361 issued to Morris (the '361 Morris patent) in view of United States Patent No. 6,226,675 issued to Metzler et al. (the '675 Metzler).

According to the Office Action, the '361 Morris patent teaches a gateway device including a:

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a subscriber interface (**CGMAPI**) for adapting to a subscriber computer (PC, PDA or **cell phone**) that is connected to the gateway device (**gateway server**) to facilitate communications between the subscriber computer and at least one network (**Column 3, lines 39-41; column 5, lines 42-49, lines 52-59; Figure 1, module 1**).

According to the Office Action, the '361 Morris patent fails to teach the second element of Claim 1, however; the Examiner believes that the '675 Metzler patent teaches such, specifically:

an XML interface (**network interface**) for communicating with an external device (**diverse nodes**) via a series of XML commands and responses such that the gateway device supports communications involving the subscriber computer and the external device without requiring the subscriber computer to support XML commands and responses (**Column 21, lines 41-45; Column 23, lines 38-60, Figures 3 and 4, modules 300-304**).

The Examiner states that it would have been obvious at the time of the invention to combine the teachings of Morris with the teachings of Metzler to "facilitate interactions amongst diverse platforms in a communication network by eliminating the prior agreement on industry wide standards or custom integration. Further such systems should encourage incremental path to business automation, to eliminate much of the time, cost and risks of traditional system integration." (Metzler Column 2, lines 18-25).

The '361 Morris Patent and the '675 Metzler Patent Provide No Teaching of an Internal Web Server

The Examiner has provide no reference in either the first Office Action dated December 17, 2003 or the final office Action dated July 14, 2004 that either the '361 Morris patent or the '675 Metzler patent teach or suggest *an internal web server* for communicating with both the XML interface and the Internet to thereby facilitate XML-based communications between the

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gateway device and external devices connected to the Internet. More importantly, the Applicant can find no teaching or suggestion within either patent for an internal web server used for the purpose as claimed. Independent Claim 8 (*which has not been amended in this response*) and dependent Claim 2 specifically further limit the invention by the inclusion of an internal web server within the gateway device that communicates with both the XML interface and the Internet to thereby facilitate XML-based communications between the gateway device and external devices connected to the Internet.

The internal web server processes HTTP streams that are received from external devices. In instances in which the external device and the gateway device will communicate via the XML protocol, the HTTP string will have XML as the content type, while the content itself will consist of tags, attributes and data.

The web server would serve no purpose in the '361 Morris patent or the '675 Metzler patent because the Gateway device resides downstream from the Internet (as shown in Figure 1 of the '361 Metzler patent).

As such, applicant respectfully submits that independent Claim 8 and dependent claim 2, which have been rejected under 35 U.S.C. § 103 (a) are not obvious by legal standards and, are thus, patentable.

Neither the '361 Morris Patent nor the '675 Metzler Patent teach a Gateway Device that is located at an Internet Access Point and provides Subscriber Computers Access Control

Independent Claims 1 and 14 have been amended to include a key aspect of the present invention. Specifically, that the Gateway Device is located at an *Internet* access point within the network architecture, such that the Gateway Device provides Internet access for all of the subscriber computers that are controlled by the Gateway Device. In this regard, the Gateway Device and, more specifically, the Gateway Device is able to communicate with all downstream

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external network devices and services *that are connected to the Internet* by executing the XML interface of the present invention. Since the *Internet access point* location of the Gateway device insures that all of the downstream external network devices *that are connected to the Internet* must communicate with the Gateway device before they communicate with the subscriber computers, the invention insures that the subscriber computers can transparently communicate with all of the downstream external devices without having to execute the unique communication format specific to each individual external devices.

The '361 Morris patent teaches a Gateway Server that resides at the network site, as shown in Figure 1. *The '361 Morris patent teaches a Gateway Server that is not located at an Internet access point but is located at the access point to a specific network.* Thus, the server in the '361 Morris patent is specific to the network site. Any subscriber interface that is executed at the Gateway Server is specific to the designated network site and its functionality cannot be applied to other functionality within the server to support communication between the subscriber computer and all other downstream external network devices *that are connected to the Internet*.

The '675 Metzler patent does not teach or suggest a gateway device that is implemented at the *Internet access point* of network architecture to provide *Internet access control* for subscriber computers.

Since Independent Claims 1 and 14 have been amended to more clearly define the invention and specifically limit the invention to a Gateway device that is located at the *Internet access point* within the network architecture and provides access control for the subscriber computers that are controlled by the Gateway, the Applicant believes that these claims are non-obvious and patentable. In addition, the dependent Claims that depend from Claims 1 and 14 add further limitations to the independent claims and, as such, as a matter of law, if the independent claims are found patentable so too should the accompanying dependent claims.

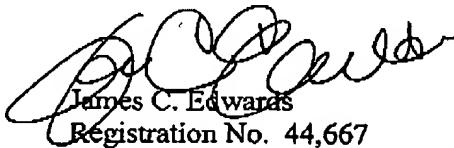
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**Conclusion**

In view of the proposed amended claims and the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (703) 872-9306 on the date shown below.

  
Sarah B. Simmons  
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Date